

**VIOLATIONS OF HUMAN RIGHTS
ILLEGAL ACTS AND INCIDENTS
AT THE SECTOR BORDER IN BERLIN
SINCE THE BUILDING OF THE WALL
(13 AUGUST 1961 – 15 AUGUST 1962)**

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**PUBLISHED ON BEHALF OF THE GOVERNMENT
OF THE FEDERAL REPUBLIC OF GERMANY
THE FEDERAL MINISTRY FOR ALL-GERMAN QUESTIONS
BONN AND BERLIN**

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CONCLUDED ON 15 AUGUST, 1962

The dates, names and figures given in Sections IV, V and VI have been provided by the Berlin Senator for Internal Affairs. In describing the incidents names have been omitted in some cases, in order not to expose persons living in the Soviet Zone or the Soviet Sector of Berlin to reprisals by the Soviet regime. Figures concerning the movement of refugees in Section I have been taken from publications by the Federal Minister for Refugees, Expellees and War Victims.

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CONTENTS

Foreword by the Federal Minister for All-German Questions	5
I. The Four-Power status of the Special "Greater Berlin" Area and the illegal acts committed by the U.S.S.R. and the Communist regime of the Soviet Zone of Occupation in Germany	7
II. Chronicle of Events	13
III. The Special Area of Greater Berlin and the Effects of the Sealing-off Measures since 13th August, 1961	17
IV. Violation of Human Rights and Crimes against Life and Health	19
1. Homicidal crimes	19
2. Bodily injuries	21
3. Kidnapping, Abduction and Deprivation of Liberty	22
4. Arrests and Terror Sentences	23
V. Serious Incidents	24
1. Encroachments and illegal acts on the part of Soviet zonal armed and uniformed agents	24
2. Deaths resulting from the sealing-off measures	24
VI. Some Examples of Successful Attempts at Flight	26
Pictorial Documents	
Cartographical appendix: The Special Area of Greater Berlin. Border lines, crossing points and focal points of sealing-off measures	



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More than a year has passed since the Communists built the wall through Berlin, thus depriving the inhabitants of the capital of Germany of the right of moving freely from one part of the city to the other. It is of course true that the Communist regime has for a long time past hindered free movement in Germany by means of unilateral measures, in order to convert the internal German administrative frontiers into a dividing line between Germans. But the sealing-off measures instituted since August 13, 1961, have now converted the barrier between the communist-ruled and the free part of Germany into a prison wall. A wall which separates married couples, which prevents children who are minors from reaching their parents and which deprives old people in need of assistance from their children.

Communist propaganda describes these acts of violence, which flout human rights, as "measures for the protection of peace", which "dispose of the centre of unrest in West Berlin" and which are intended to "serve to relax international tension". With unsurpassable cynicism they term their law-breaking system "a firm system of order and security, such as is effected along its frontiers by every sovereign State".

Millions of visitors to the German capital have been able to convince themselves year by year of the peaceful work of reconstruction being carried out by the Berliners in the free part of the city, and have expressed their admiration for the determined self-assertion of Berlin. No "West Berlin Problem" exists, as the propaganda of the Soviet bloc alleges. A Berlin crisis developed and develops only when the expansionist policy of world Communism starts to attack the freedom and prosperity of Berlin. This was the case during the Soviet blockade of the city in 1948 and 1949, and this has been the case since Khrushchev's ultimatum and the Soviet renouncement of the Four-Power status of the city in the late autumn of 1958.

The building of the Wall, the Emergency Laws on sealing-off measures and the Communist order to fire are severe violations of the basic human rights. Defenceless refugees, who can no longer stand the Communist reign of terror and who in desperation try to break out of their huge prison, are shot down. Before the eyes of all the murderers cruelly leave

their wounded victims to their fate, until they have died a painful death. Civilized man turns away with horror and contempt from those responsible.

The Federal Government is herewith submitting a fresh documentary report on the situation in Berlin. The report describes the nature, extent and effects of the sealing-off measures, provides documentary material on crimes against humanity and enumerates the severe breaches of law committed by the Communist regime along the wall and the barbed wire.

The free world shares the opinion of the Federal Government, that lasting peace cannot thrive upon injustice and violence. For this reason the Federal Government will never cease to denounce the barbarism of Ulbricht's wall.

ERNST LEMMER

Federal Minister for All-German Questions

I.

THE FOUR-POWER STATUS OF THE SPECIAL "GREATER BERLIN" AREA AND THE ILLEGAL ACTS COMMITTED BY THE U.S.S.R. AND THE COMMUNIST REGIME OF THE SOVIET ZONE OF OCCUPATION IN GERMANY

The 13th of August 1961 marked the beginning of another chapter in the period of the permanent Berlin crisis which was unleashed by the Government of the Soviet Union on November 10, 1958, with a speech by Premier Khrushchev in the Moscow Sport Palace. It was in the hands of the Soviet Union — which is in no way interested in a "Free City of Berlin" and for whom the pseudosovereignty or reputation of the so-called "German Democratic Republic" is also only one of many immediate goals in its European political scheme—to aggravate or mitigate at will the crisis instigated by it. It availed itself ruthlessly of its opportunities of further increasing the tension of the political situation. In a joint declaration by the communist governments of the Warsaw Pact States, it empowered the Soviet Zone regime to undertake sealing-off measures on the borders in and around Berlin. A few weeks after 13th August 1961, the Federal Ministry for All-German Questions made a critical investigation of these measures and their true causes and motives, submitting them to the judgment of world opinion in a Yellow Book.*

The communist agitators explain and justify their illegal and inhuman measures by claiming, among other things, that the erection of the wall had been necessary for the maintenance of peace, because the free part of the German capital was allegedly being used by the Federal Republic and its allies as a NATO base for the preparation of aggressive acts against the Soviet Zone, and even against the Soviet Union and its satellites, thus becoming a centre of unrest.

This allegation is refuted by the facts which anyone may check. Berlin is about 170 kilometers away from the Federal Republic and is surrounded by the territory of the Soviet-occupied zone of Germany, where armed forces consisting of approximately

400,000 Soviet troops and at least 265,000 men alone of the garrisoned units of the Ulbricht regime are stationed. In contrast, the strength of the military units which the United States, the United Kingdom and France have stationed in Berlin is approximately 11,000 men. In accordance with the terms of the Four-Power Statute, there is not a single soldier of the Armed Forces of the Federal Republic of Germany on the territory of Berlin, nor are the male inhabitants of Berlin (West) subject to the compulsory military service of the Federal Republic of Germany.

The situation is entirely different in the Soviet sector of Berlin. The Soviet Union maintains a strong garrison there, and there are heavy Soviet troop formations in the immediate neighbourhood of Berlin. In addition, the Soviet Zone regime has, in violation of the Four-Power Statute, not only moved units of the so-called "National People's Army" in East Berlin for years, but, due to the constantly increasing militarisation of all spheres of life in the Communist orbit, the Soviet Sector has become the scene of civil war exercises of the manifold paramilitary units. Large numbers of these units are given military training as combat squads (of the German Socialist Unity Party), as branches of the "Society for Sport and Technology" and of the Communist state youth organization, the "Free German Youth". They had to demonstrate their strength and their preparedness for action in parades and mass demonstrations on the various holidays of the so-called "Workers and Peasants State".

All this takes place with the knowledge and condonation, even the authorization of the Soviet Union which thereby constantly violates the treaties, agreements and arrangements on which the Four-Power status of Berlin is based. Despite repeated communist claims to the contrary, the United States, Great Britain and France are in Berlin not on the sufferance of the Soviet Union, but by virtue of their original rights as major victorious powers in the Second World War.

A "European Advisory Commission" with representatives from the United States, Great Britain and

* Yellow Book: "The flights from the Soviet Zone and the sealing-off measures of the communist regime of 13th August 1961 in Berlin." Published by the Federal Ministry for All-German Questions, Bonn and Berlin (1961). 77 pages. (Cited hereafter as Yellow Book "Flights").

the U.S.S.R. was established by the Moscow Conference of Foreign Ministers in October 1943. It was to prepare joint measures for the period following Germany's surrender. This commission reached agreement on 12th September 1944 in London on a "Protocol ... on the Zones of Occupation in Germany and the Administration of Greater Berlin".* According to this agreement, Germany was to be divided for purposes of occupation into three zones and a "special Berlin area which will be under joint occupation by the three Powers". "Berlin area" was understood to mean "Greater Berlin" as defined by the Law of April 27, 1920. An "Inter-Allied Governing Authority" (Komandantura) was to have the responsibility for the joint administration of the "Greater Berlin" area. The city was divided into sectors for the purposes of military occupation and administration; the modalities of the joint administration were laid down by the same Powers in an agreement dated November 14, 1944.** France acceded to these arrangements in an agreement of 26th July 1945,*** after an "Agreement between the Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, and the Provisional Government of the French Republic"**** of 5th June 1945 had established France's participation in the occupation and "joint direction of the administration of the 'Greater Berlin' area".

These agreements constitute the original basis of the Four-Power status of Berlin. They were approved by the governments of the four major victorious Powers and are still binding under international law, because they are not limited in time and were not replaced by any other joint agreements. On the contrary: they were later supplemented repeatedly by further agreements. Contrary to various allegations by the Soviet Union, the Three Power Conference of Potsdam (July 17 to August 2, 1945) made no arrangement on the legal status and the administrative organization of Berlin. The official communiqué issued on the Potsdam Conference† is thus irrelevant to the Berlin situation in particular.

* See: Germany. Zones of Occupation and Administration of "Greater Berlin" Area. Department of State Publication 5729 (Treaties and other International Acts Series 3071). Washington, p.1 ff. (English and Russian texts).

** See: Germany. Zones of Occupation and Administration of "Greater Berlin Area", p.9 ff. (English and Russian texts).

*** Ibid., p. 15 ff. (English, Russian and French texts).

**** See: Official Gazette of the Control Council of Germany. Supplement No. 1, p. 12 (English, French, Russian and German texts).

† See: Official Gazette of the Control Council of Germany. Supplement No. 1, pp. 13-20 (English, French, Russian and German texts).

Like the other Four-Power agreements made during and immediately after the war and resulting from the defeat and unconditional surrender of Germany, the Four-Power status of Berlin proved to be a legal obstacle to the expansionist endeavours of the Soviet Union and its attempts of also extending, with the aid of a numerically small group of German Communists and by brute force, the model of its communist social and political system to the western sectors of the German capital occupied by the three Western Powers. For this reason, the USSR began at an early stage to sabotage the work of the Inter-Allied Governing Authority and tried, contrary to the terms of the agreements, to treat the Soviet Sector of the special "Greater Berlin" area as part of the Soviet Zone of Germany. After the representative of the Soviet Union, Marshal Sokolovsky, had taken advantage of his turn as chairman to adjourn the Allied Control Council of Germany on March 20, 1948, without scheduling another session, the Soviet Military Administration in Germany stated on July 1, 1948, that the Soviet Commandant of Berlin no longer deemed it possible to attend the meetings of the Allied Komandantura for "Greater Berlin". A few days earlier, on June 24, the Soviet Military Administration in Germany had brutally exploited the geographic situation and imposed the blockade upon the three western sectors of Berlin, barred all traffic by rail and later by land and water, cut off the electric current and the delivery of food, including milk, of coal and medical supplies to Berlin (West). At the same time, the Soviets walked out of the Allied Komandantura; they obviously thought that, by this formality, they could evade responsibility for violating their legal obligations.

In identical notes on July 6, 1948,* the three Western Powers pointed out to the Soviet Union that Berlin is not a part of the Soviet Zone, but is a special international zone. The Commandants of the western sectors emphasized in a declaration on December 21, 1948** that the Allied Komandantura was established by agreements concluded between the four governments and that consequently unilateral, illegal action of one of the treaty partners could, it is true, hamper its work, but could not legally dissolve it.

Thanks to the counter-measures of the three Western Powers, the Soviet blockade failed; in the New York Four-Power Agreement of May 4, 1949,*** the Soviet Union had to agree to remove all restrictions on communications, transportation

* See: Documents on American Foreign Relations. Vol. X (1948), p. 84 f.

** E. Plischke, Berlin, Development of US Government and Administration. Office of the US High Commissioner for Germany, 1952. p. 212.

*** Yellow Book "Flights", p. 46.

and trade. Furthermore, in the final communiqué of the Paris Council of Foreign Ministers Conference of June 20, 1949*, the obligation "to normalize as far as possible the life of the city", as well as the special status of Berlin alongside the four zones of occupation were recognized by the Soviet Union. Nonetheless, the Soviet Union pursued its sabotage of the Four-Power status for all of Berlin by the continued refusal of the Soviet Commandant to participate in the work of the Allied Kommandantura and by preventing the lawful government (Senate) of the city from exercising its rights in the Soviet Sector. The rights of the Western Powers in and over the three sectors occupied by them were, however, subsequently respected by the Soviet Union. The decision of the Soviet Union on September 20, 1955** to dissolve the Soviet High Commission in Germany also emphasized explicitly that the rights and obligations of the Soviet Union relating to all of Germany — i. e., including Berlin — and deriving from Four-Power agreements, were not affected by this decision.

It was only with Khrushchev's Moscow speech of November 10, 1958, that a marked change took place; the "Berlin Crisis" was evoked by the ultimatum contained in the Soviet Union notes of November 27, 1958. By demanding the establishment of a "demilitarized Free City of West Berlin", the Soviet Union unilaterally repudiated its treaty obligations which had been valid since 1944. The three Western Powers declared this breach of treaty obligations to be unacceptable on December 14, 1958, and in notes on December 31, 1958, summarized once more the bases on which their legal position rests, whereby the Soviet legal interpretation in respect to the Four-Power status was proved untenable.

Finally, the Soviet Zone regime ruthlessly thrust aside all treaties between the Four Powers by erecting the wall. It thereby arrogantly disregards the Universal Declaration of Human Rights adopted by the United Nations General Assembly on December 10, 1948***. It also violates its own so-called constitution which states that it was promulgated "imbued with the desire to safeguard human liberty and rights, ...". Article 8 guarantees "the right to take up residence at any place", and paragraph 3 of Article 10 reads: "Every citizen has the right to emigrate". However, on December 11, 1957, a new version of section 8 of the Soviet Zone's "Passport Law" dating from September 22, 1954, was enacted.

It threatens prison sentences of up to three years for unauthorized departure from the Soviet Zone ("flight from the Republic").

The communist regime, which in this "Constitution" claims Berlin as the capital of the Republic, severs this city with a wall, barbed wire, "death strips", concrete posts, trenches and similar war-like barricades and no longer permits to meet. At the same time, the regime even "recommends" that the inhabitants of the area dominated by it, i.e., the Soviet Zone, "refrain from going to Berlin until further notice".

Thus the communist rulers have transformed the Sector borders within the German capital into a deadly dividing line, just as they have for years been expanding the demarcation line between the former zones of occupation into a "death strip" right across Germany. In pursuance of their "two States theory", they thus hope to cement the division of Germany, although their "Constitution" still describes Germany in paragraph 1 of Article 1 as "an indivisible democratic republic" and recognizes "only one German nationality" in paragraph 4 of Article 1.

The rulers of the Soviet Zone also justified their sealing-off measures with the economic losses caused by the mass flight into the Federal Republic. It was allegedly necessary to "seal the open border" in order to build up Communism "free from interference" and "to raise the prosperity of the large masses of the population".

However, even these "protective" measures could not solve the dilemma of the communist planned economy, although the "mobilization of production" under the protection of the wall was already announced in September, 1961. The slogan, however, "to produce more in the same time for the same money"* could not obviate the symptoms of crisis in the Soviet Zone economy. At the 16th session of the Central Committee of the communist Unity Party from June 26 to 28, 1962, the functionary responsible for the "coordination of basic economic tasks" had to confess to considerable arrears. Now as before, industry does not fulfil its targets especially in investment projects and in the building trade, and exports labour under serious delays in delivery. The agricultural situation is a catastrophe; here, the results of the total and forced collectivization in the spring of 1960 still cannot be overcome. Basic food-stuffs such as potatoes, meat and butter are still or again rationed 17 years after the end of the war, and the "food supply of the population will not undergo an improvement for some time to come". Alone in the first five months of the year 1962, 274 million liters less milk were produced

* Cf.: Yellow Book, "Die Situation in der Sowjetzone nach dem 13. August 1961. Bericht und Dokumente." Issued by the Federal Ministry for All-German Questions. Bonn and Berlin (1961), p. 27 ff.

* Yellow Book "Flights", p. 47.

** See: Dokumente zur Deutschlandpolitik. Reihe III, Band 1 (1955). Issued by the Federal Ministry for All-German Questions. Bonn 1961, p. 377 ff.

*** Art. 13 (2): "Everyone has the right to leave any country, including his own, ...".

than during the same period in the previous year. There were 210 million fewer eggs, 68 million pounds less of slaughter cattle, and live stock had declined by 46,000 cows and 1.3 million pigs in comparison to the previous year.

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The senselessness and inhumanity of the wall can hardly be more clearly illustrated than by a survey

of the number of families torn apart by the sealing-off measures of the Soviet Zone regime. In the majority of cases, the reuniting of these families has failed up to now because this regime permits removal only to the Soviet Zone, but hardly ever to the Federal Republic including Berlin (West). As of June 30, 1962, the following applications for aid in reuniting separated families had been submitted to the competent authorities in the Federal Republic:

Type of Application	From the Soviet Zone and East Berlin to West Germany	%	From the Soviet Sector to Berlin (West)	%	Total
Children up to 18 years to their parents	1,283	12.6	97	2.2	1,380
Wives (some with children) to their husbands	1,420	14.0	980	22.2	2,400
Husbands (some with children) to their wives	82	0.8	57	1.3	139
Parents to adult children	5,439	53.4	2,219	50.4	7,658
Relatives to relatives (usually older people)	1,796	17.6	659	15.0	2,455
Fiancés to each other	160	1.6	392	8.9	552
Total	10,180		4,404		14,584

(The number of applications made in the Soviet Zone is not known; it is known, however, that in many cases such applications have not even been accepted for consideration after August 13, 1961.)

Considering these statistics, it is understandable that many people still attempt flight, despite all measures restricting movement and the very close guard along the border. According to investigations by the Ministry for Expellees, Refugees and War Victims, a total of 12,316 persons managed to escape in the period from August 13, 1961 to August 11, 1962. They fled to Berlin (West) and over the demarcation line to the Federal Republic, on — as members of Soviet Zone delegations, as passengers on Soviet Zone ships — into the harbours of the free world, or again, by daring Baltic Sea crossings. This figure also includes almost 1,000 former members of the guard personnel. 51,056 inhabitants of the Soviet Zone who were on vacation, on a visit or a business trip outside the communist-controlled area and who were taken unawares by the communist sealing-off measures remained in the free part of Germany, applying for emergency admission to the Federal Republic.

*
* *

When one attempts to expose the roots of this unprecedented exodus, then the large number of motives for flight mentioned in the report of September 7, 1961*, shrinks to two basic categories. In the first, it is the overwhelming longing — to the point of utter disregard of self — to end the separation from close relatives, friends, from a material or intellectual home, and from a voluntarily chosen and accepted way of life and system of law. In the second category, consisting primarily of members of the Soviet Zone armed forces, it is the inner conflict between conscience and the demands of forced service to an unscrupulous and detestable regime and in bad cause.

Thus it is not "provocateurs", "revanchists", "war mongers" and "criminals" who are being hunted down by the Communists along Ulbricht's wall, at the borders between Berlin (West) and the Soviet Sector of Berlin or the Soviet Zone. These are not the people who are, ever since August 24, 1961, being fired upon with intent to kill. Instead, it is peaceful human beings whom communist "class warfare" and the Soviet policy of hegemony prevent from moving freely within their own country; and it is also those young men who have been

* Cf. Yellow Book "Flights", p. 18 ff.

pressed into military or police service and who now, in the extremity of cold-blooded and one-sided civil war against their countrymen, risk their lives by availing themselves of the right to resist inhuman commands. Each of these human histories is a national document and, in their totality, they bear witness to the calamity of the partition of Germany and against the evil of that regime which wants to "cement" this division until all Germany is absorbed into the Soviet orbit. If one does not take into account the cases of kidnapping instigated by the Soviets or the Soviet Zone, hardly any acts of overt violence were committed along the sector border in the 16 years before the erection of the wall. This has changed since Ulbricht gave the order to shoot: his frontier-guards must shoot without warning at anyone approaching the barrier until that person no longer moves in the direction of the border-line. Escapees in uniform are to be fired upon even when they are already on the territory of Berlin (West); they must be liquidated. In contrast, the West Berlin police may return fire only when the shots go over the sector border. They are not permitted to give escapees protective fire so long as the latter are on the territory of the Soviet Zone or Sector.

Since August 13, 1961, at least 29 defenceless human beings were slaughtered at the orders of the Ulbricht regime, at least 6 persons met a tragic death while escaping or as a consequence of the wall, and countless numbers of persons were more or less seriously wounded because they wanted to avail themselves of fundamental human rights. In particular, the latest murders are characterized by a brutality which should be precluded even in time of war, civil war and internal disturbances through the Geneva Convention: "The wounded are to be respected and protected in all circumstances. In the case of internal disturbances the basic principles of humanity shall also be respected. Aid to wounded shall be given without distinction and exception."

It is understandable that the contempt for these fundamental human rights has shocked not only the inhabitants of Berlin and all Germans, but all civilized human beings, and has thus increased international tension.

In its memorandum of February 21, 1962* addressed to the Government of the U.S.S.R., as the Power mainly responsible, the Federal Republic clearly stressed the seriousness of the situation:

"The Soviet Memorandum expresses earnest concern over the critical international situation. We share that concern, and we, too, wish for a relaxation of

that critical situation step by step. The Soviet Memorandum states that West Berlin needs calm conditions. We share that view, for nobody can deny that the construction of that wall has greatly upset, and still does upset, the inhabitants of Berlin and, moreover, people throughout the world.

"In taking that action, the regime of the so-called German Democratic Republic has conjured up a most dangerous situation. We are well aware of the influence which the Soviet leaders can bring to bear on the rulers of that part of Germany and are therefore asking ourselves with apprehension whether they see no danger in allowing those rulers a free hand and complying so readily with their demands.

"It is a proven fact, after all, that the regime of the so-called German Democratic Republic has failed in all fields. A few years ago Ulbricht boastfully announced that he would have caught up economically with the Federal Republic by 1961. Well, today, everybody can witness what has come of that boast. The measures of agricultural collectivization which were ruthlessly carried through, have led to a catastrophic food situation. Freedom of movement in the so-called German Democratic Republic has been further restricted. There no longer exists due process of law. On the other hand, large new concentration camps are being constructed. The population hates and despises that regime which was imposed upon them and has never been freely elected by them.

"It is above all the methods referred to above and the constant failures of the administration, and not, as has been alleged, western provocateurs that caused that movement of flight, unprecedented in modern times, from the so-called German Democratic republic. Yet, that regime could easily have prevented the flight of millions of its citizens, if it had pursued a humane policy, given freedom and justice to the population, and if it had quite generally made life in that part of Germany worth living.

"However, the only way out the men of that regime could think of was to erect a wall across Berlin, to lock up the people under their control, and to continue their bankrupt and violent policy even more ruthlessly than before. No one can seriously expect the Federal Government to negotiate with exponents of such a policy.

"We have described the character of that regime somewhat in detail, not because we want to sow disunion between it and the Soviet Government but because we are deeply moved and concerned over the situation of our compatriots on the other side of the demarcation line, and because the rulers there have at no time brought about a relaxation, but always only an intensification, of international tension. These men and their policy of enslavement

* Complete text in the Special Issue of "The Bulletin". February 23, 1962. Issued by the Press and Information Office of the German Federal Government.

have obstructed and continue to obstruct the road to better relations between the Soviet Union and the Federal Republic of Germany and to a relaxation in the Berlin and German problem.

"The Soviet Government is, we hope, deeply aware that the regime in the so-called German Democratic Republic will continue its policy of crisis and catastrophe even more unscrupulously if granted wider powers under a separate treaty. Consequently, no one among the Soviet leaders should expect that after the conclusion of such a treaty German-Soviet relations can be satisfactorily settled. On the contrary, a separate treaty would intensify the partition of the German people and the tension between East and West and would obstruct the road to a genuine peace settlement in Europe.

"We repeat: We, too, desire better relations with the Soviet Union. But we cannot accept the assertion in the Soviet Memorandum that we want to mix up German-Soviet relations with problems that have no direct bearing on them. The enslavement of our compatriots in the so-called German Democratic Republic, the destiny of Berlin and its people and, not least, the German people's right to self-determination are decisive elements of the relations between the Federal Republic of Germany and the U.S.S.R.

"We agree, on the other hand, to the proposition in the Soviet Memorandum that an improvement of German-Soviet relations should be tackled step by step if it cannot be achieved immediately. Special care should, however, be had to ensure that no steps are taken in the wrong direction, as was done when the Berlin wall was put up. The leaders of the Soviet Union ought to agree with us that this symbol of enslavement which discredits not only its builders but communism generally, must disappear."

*
* *

This report deals with the consequences of a policy that flies in the face of universal human rights. It is based on records of flagrant violations of these rights, on encroachments by the police state and other serious incidents which have occurred since August 13, 1961, at the sector borders of Berlin, at Ulbricht's wall. The objective and matter-of-fact registration of these events reflects nothing of the human tragedies which took place until the decision was reached to break through the barriers erected by blind and fanatic "advocates of class warfare" between Germans and Germans — a decision which must be considered in each individual case as an act of desperation taking into account the way in which these barriers are fortified and guarded.

II.

CHRONICLE OF EVENTS

1958

27th October: The First Secretary of the Central Committee of the Socialist Unity Party, Walter Ulbricht, makes a speech to a rally in the Soviet Sector about the West Berlin elections. He declares that the "German Democratic Republic" aims at "terminating the policy which makes West Berlin a front-line city".

10th November: The Prime Minister of the U.S.S.R., Mr. Khrushchev, declares in a speech he makes in the Moscow Sports Stadium that it is now time to cancel the Four Power Status of Berlin.

27th November: The Government of the U.S.S.R. asserts in notes to the Western Powers that they had "flagrantly violated the Four Power Agreement" and hence in so doing they had "forfeited the right to uphold their occupation regime in Berlin". It declares that it regards the London Protocol of 12th September, 1944, as no longer in force and calls for the "conversion of West Berlin into an independent political unit—a Free City". If no agreement is reached within six months, the "Soviet Union will enter into an agreement with the German Democratic Republic to effect the envisaged measures".

7th December: The elections in West Berlin end with a crushing defeat for the SED ("Socialist Unity Party"), the only party to support Soviet proposals: percentage of voting 92.9 %; SPD 52.6 %; CDU 37.7 %; SED 1.9 %; other parties 7.8 %.

31st December: The Western Protecting Powers reject the "proposal to convert West Berlin into a Free City" as "unacceptable". They refuse to "accept a unilateral revocation of the Agreements of the years 1944 and 1945".

1959

10th January: The Soviet Union forwards the Western Powers, the Federal Republic of Germany and other States, and the Soviet Zone, the draft of a peace treaty whereby West Berlin shall be given the status of a "demilitarised Free City" until the two parts of Germany are reunited.

14th May: At the Conference of Foreign Ministers in Geneva, the United States submit a "Western peace plan" which envisages a gradual reunification of Berlin through free elections under the supervision of the Four Powers or UNO.

1960

8th September: Citizens of the Federal Republic are only allowed to enter the Soviet Sector of Berlin if they have been issued with a "residence permit".

1961

4th June: At a meeting with the President of the U.S.A. in Vienna, N.S. Khrushchev hands him a memorandum on the German and Berlin question reiterating the call for a "demilitarised Free City of West Berlin".

15th June: At a Press Conference in East Berlin Ulbricht declares: "The constructional workers in our capital are mainly concerned with building dwellings and that engages their total capacity for work. Nobody intends to erect a wall."

11th August: The governments of the Warsaw Treaty Powers forward a note to the "People's Assembly and Government of the German Democratic Republic" containing the "proposal that a state of affairs should be established at the West Berlin sector boundary whereby ... reliable supervision and an effective control may be guaranteed of the area around the whole of West Berlin, including its boundary with democratic Berlin". — The "People's Assembly of the German Democratic Republic" adopt a resolution in which, amongst other things, the "Ministerial Council" is called upon "to prepare and implement all measures which may prove necessary pursuant to the stipulations of the Warsaw Treaty Powers and of the present resolution".

12th August: Owing to alleged preparations for war by the Federal Government, the "Ministerial Council of the German Democratic Republic resolves that controls will be introduced at the borders of the German Democratic Republic including the border to the Western Sectors of Greater Berlin such as are customary at the borders of any sovereign state" (published on 13th August).

Within 24 hours, the emergency reception centre at Berlin-Marienfelde reports that 2,400 refugees have arrived from the Soviet Sector and the Soviet Zone of Occupation.

13th August (just before 2 a.m.): Units of the Soviet Zone People's Police, the Stand-by Police and the "National People's Army" as well as "combat units" take up positions along the sector boundary and seal it off with barbed-wire entanglements and chevaux de frise. At the main crossing-points for inter-sector traffic (Brandenburger Tor, Potsdamer Platz, Friedrichstrasse, Warschauer Brücke), tanks and lorries full of troops are driven into position. Engineer units of the "National People's Army" rip up roads, dig ditches and set up barricades. Only 13 of the 81 crossing-points are kept open. All inhabitants of the Soviet Sector of Berlin and of the Soviet Zone of Occupation are prohibited from entering West Berlin. — The inhabitants of the Soviet Zone are prohibited from visiting East Berlin.

The inhabitants of West Berlin are allowed to enter the Soviet Sector if they produce their identity card. Citizens of the Federal Republic are given one-day permits to enter East Berlin via four checkpoints.

The long-distance traffic between West Berlin and the Federal Republic is not affected by the obstructions.

14th August: The sealing-off process is intensified. The checkpoint at Brandenburger Tor is closed and the sector boundary at this point is obstructed by barbed wire.

15th August: Intersector motorized traffic comes to an almost complete stop. The inhabitants of the Federal Republic find it more difficult to enter the Soviet Sector. West Berliners who want to visit the Eastern part of the city are subjected to strict checks.

In some places, work is commenced on the building of walls made of concrete slabs. Along the zonal border round Berlin, wide aisles are cleared through forests. — The three Western Commandants in Berlin protest against the "illegal measures taken on 13th August".

16th August: About 200,000 Berliners gather in front of the Schöneberg Town Hall in one of the biggest demonstrations ever witnessed in Berlin.

17th August: The Governments of the Western Powers protest to the Soviet Government in identical notes against the obstructing measures.

The Wall is heightened in several places and provided with barbed wire. At stations along the boundary, the tracks of the overhead railways are dismantled and pulled up. — The Ministry of the Interior in the Soviet Zone of Occupation decrees that "no permits for West Berlin will be issued to East Berliners until the conclusion of a Peace Treaty". The organisation of young Communists, the FDJ, calls for "voluntary service in armed units" and begins to form "FDJ Regiments of Volunteers". In the Soviet Zone, FDJ groups destroy television aerials fitted to receive Western programmes.

The Protestant Bishop of Berlin-Brandenburg, Herr Dibelius, and the Archbishop of Munich-Freising and simultaneously Administrator of the Bishopric of Berlin, Cardinal Döpfner, are stopped from entering the Soviet Sector by the People's Police. The Chairman of the Governing Council of the Protestant Church in Germany, "Präses" Scharf, is refused an entry permit by East Berlin authorities.

18th August: The Potsdamer Platz is sealed off by a 5 foot high concrete wall. Armed members of the FDJ are used as guards at the sector boundary.

The German Bundestag holds a special meeting to discuss the political situation. Both the Government and Parliament sharply condemn the measures taken by the Soviet Zone regime.

19th August: The Vice-President of the U.S.A., Mr. Johnson, and General Clay are given an enthusiastic welcome during their visit to Berlin. The Vice-President re-affirms the guarantee of the United States to defend the freedom of West Berlin and its access routes.

19th-22nd August: The doors and windows of houses along the sector boundary are bricked up: the People's Police start implementing compulsory evacuations. — In Bernauer Strasse, the entrance to the Church of Concilia-

tion located in the Soviet Sector on the sector boundary is bricked up, thus splitting up the congregation.

23rd August: The authorities of the Soviet Sector introduce compulsory permits for West Berliners. The number of crossing-points is reduced from 12 to 7. — The "Ministerial Council of the German Democratic Republic" calls upon all persons "in the interest of their own safety to stay a hundreds yards away from both sides of the borders between the capital of the German Democratic Republic and West Berlin".

The three Western Commandants of Berlin lodge a sharply-worded protest against the new constricting measures. In reply to the warning to West Berlin citizens not to come any nearer than 100 yards to the sector boundary, the commandants position units from their garrisons equipped with heavy tanks and armoured cars at the border.

The Government of the U.S.S.R. sends notes to the Governments of the three Western Powers in which it protests against an alleged case of improperly using the air corridors.

26th August: The Governments of the Western Powers forward the Soviet Government reply notes. They warn the Soviet Union against impairing access routes to Berlin, which they would consider an "act of aggression".

30th August: At a press conference the President of the U.S.A. states that he is going to send General Clay to Berlin as his personal representative.

31st August: "Präses" Scharf from East Berlin is given a permit enabling him to carry out his official duties in West Berlin. On his return, the People's Police take from him his Soviet-Zone permit and his "German identity card", thus precluding any return to his home in East Berlin.

1st September: The Chief Constable of East Berlin, Herr Eickemeier, bans the meeting of the Council of the Protestant Church in Germany planned to be held in East Berlin.

6th September: The President of France, General de Gaulle, declares that the Western Powers would defend their position in Berlin and the access routes thereto "if need be with force".

13th September: The Soviet-zonal Ministry of the Interior announces that during recent days the "security forces" had apprehended a number of foreign nationals at the crossing-points to West Berlin helping East Berliners to flee in their cars.

19th September: General Clay commences his duties as the U.S. President's special representative in Berlin.

24th September: During an evacuation operation, nearly 2,000 people are closely watched by armed border police while they move out of their homes in Bernauer Strasse. They are accommodated in "reception camps"—mostly gymnasiums.

7th October: The President of the U.S.A., Mr. Kennedy, and the Soviet Foreign Minister, Mr. Gromyko, meet in New York. They find no basis for East-West negotiations on Berlin, but decide that contacts should be maintained at ambassadorial level.

13th October: The Soviet-zonal People's Police use tear gas and water-cannons against West Berliners who gather round a wooden cross erected at the Oberbaumbrücke in West Berlin in memory of those refugees who lost their lives during their flight across the Spree.

14th October: The windows of houses along the sector boundary in Bernauer Strasse are walled up.

25th October: The refusal of the Soviet Zone People's Police to allow American officials to use the crossing-point in Friedrichstrasse without first checking their papers aggravates the situation. American tanks are positioned at the sector boundary.

26th October: The American Government lodges a protest against the obstruction of Allied officials visiting East Berlin. Under the cover of tanks, American military police force a way through for an official American car.

27th October: At the sector boundary crossing-point in Friedrichstrasse, American and Russian tanks face each other with only a distance of 200 yards between them. — An announcement by the State Department states: "The positioning of Soviet tanks in East Berlin is a belated admission of the responsibility of the Soviet Government for what is happening in the sector of the city assigned to Soviet forces for occupation."

20th November: Units of the "National People's Army" and East Berlin fatigue parties block up the Brandenburger Tor with an eight-foot high and 4-foot thick massive concrete wall. At the same time, tank obstructions made from welded steel girders are set into concrete at Hindenburgplatz, Potsdamer Platz and in Wilhelmstrasse. — The Vice-President of the French Senate, Dr. Portmann, is injured in the face when viewing the Wall by a stone thrown by a "people's policeman".

28th November: In an interview with the chief editor of the Soviet newspaper "Izvestia", the President of the U.S.A. suggests international control of the interzonal autobahn. Ulbricht rejects this proposal as "idle speculation".

3rd December: Under the cover of strong units of the "National People's Army" concrete obstructions are set up at those crossing-points which have hitherto had no obstructions. There is now only a space of 8 feet left for cars to pass through and two and a half feet for pedestrians. On 8th December, additional toll-bars are also set up at the behest of the Ministry of the Interior in the Soviet Zone of Occupation "in the interest of an orderly flow of traffic".

7th December: The interzonal railway line to Hamburg is cut off by dismantling and ripping up the tracks between Albrechtshofen and Spandau. The interzonal trains from Hamburg are redirected via Griebnitzsee-Wannsee.

15th December: The Senate of West Berlin announces that its attempts to introduce permit-issuing offices which would have permitted inter-sector travel by Berliners have failed due to the uncompromising attitude of East Berlin authorities.

27th December: In Moscow, the Government of the U.S.S.R. hands the Ambassador of the Federal Republic a memorandum on the German and Berlin problems.

30th December: In reply to the obstruction of American diplomats wishing to visit East Berlin, American authorities prohibit the Soviet Commandant in Berlin, Soloviev, from entering the American Sector of Berlin.

1962

2nd January: The American Ambassador in Moscow, Mr. Thompson, initiates with the Soviet Government the probing talks on Berlin agreed to by the President of the U.S.A. and the Prime Minister of Great Britain.

12th January: The Soviet Foreign Minister hands the American Ambassador in Moscow a communication proposing that a "Free City of West Berlin" be admitted to UNO as a "third German State" beside the Federal Republic and the "German Democratic Republic".

24th January: The "People's Assembly" passes a "Law on Universal Conscription" and puts it into force for East Berlin.

8th February: The Three Western Powers reject a Soviet attempt to restrict the air corridors to Berlin in favour of Soviet military aircraft by invoking the Four Power Agreement.

14th February: The Headquarters of the Constabulary in West Berlin announce that in future police officers will return fire if deliberately shot at.

21st February: The Ambassador of the Federal Government in Moscow hands the Government of the U.S.S.R. a reply to its memorandum of Decembre 27, 1961.

9th March: Soviet military machines attempt to interfere with radar control and radio communications by dropping chaff.

26th April: The American Foreign Minister, Dean Rusk, declares the Western Powers will stay in Berlin until the vestiges of World War II have been removed and the German people have been given the opportunity or re-unification.

22nd May: The Federal Ministry of All-German Questions publishes statistics on the splitting-up of families and first-degree relatives by the Wall.

28th May: The three Western Commandants in Berlin protest in a communication to the Soviet Commandant in Berlin against the numerous cases in which Soviet Zone boundary guards have fired on to West Berlin territory.

7th June: The Federal Minister for All-German Questions, Herr Lemmer, proposes invoking the UN Commission for Human Rights in view of the many incidents at the borders round West Berlin. He further declares that Communist measures of obstruction since the building of the Wall have hitherto cost the lives of at least 40 people.

13th June: The Higher Administrative Court in West Berlin decides that the sealed offices of the SED district headquarters in West Berlin would have to be re-opened.

16th July: In a note to the Western Powers the Soviet Union rejects the suggestion of consultations on the

relaxation of tensions along the sector border and on the restoration of the free passage of persons and goods inside Berlin.

At the zonal border at Spandau four new sealing-off walls are erected. A third barbed wire fence is set up around the exclave of Eiskeller.

30th July: The Soviet representative at the Four Power Air Safety Control Centre threatens that U.S. helicopters would be shot down if they continued to carry out control flights over East Berlin to which they are entitled under Four Power agreements.

1st August: Demolition work is started at some houses in Bernauer Strasse.

6th August: For the first time units of the combat squads are again participating in fortification work at the zonal border near Spandau, Staaken, and Zehlendorf.

10th August: Federal President Dr. Heinrich Lübke arrives at the German capital for a one-week visit.

13th August: In a three minute traffic and working silence the population of West Berlin protests against the wall. Demonstrations occur at several places.

16th August: At the zonal border at Spandau, West Berlin, an exchange of fire between members of Soviet zone border guards takes place when one of them tries to flee and makes use of his fire-arm; two persons are injured.

III.

THE SPECIAL AREA OF GREATER BERLIN AND THE EFFECTS OF THE SEALING-OFF MEASURES SINCE 13TH AUGUST, 1961

The special area of Greater Berlin covers 883.8 qkm (341.24 square miles); of these 54,4 % (481.0 qkm = 185.71 square miles) with 2,207,984 inhabitants form the territory of West Berlin and 45.6 % (402.8 qkm = 155.52 square miles) with 1,071,775 inhabitants East Berlin, the Soviet Sector of Greater Berlin. Fourteen of the twenty administrative districts possess borders dividing West Berlin from the Soviet Sector or the Soviet Zone.

Area	Sector border	Zonal border	Total of
Greater Berlin	45.9 km (28.5 miles)	232 km (144.7 miles)	277.9 km (172.57 miles)
Berlin (West)	45.9 km (28.5 miles)	114.6 km (71.17 miles)	160.5 km (99.67 miles)
East Berlin	45.9 km (28.5 miles)	117.4 km (72.9 miles)	163.3 km (101.41 miles)

Of these borders

37 km (22.98 miles) run mainly through residential areas;
17 km (10.56 miles) mainly through industrial areas;
appr. 30 km (18.63 miles) through wooded areas;
24 km (14.9 miles) through waters, lakes, and canals;
55 km (34.15 miles) along railway embankments, through fields, marshy districts, etc.

Before August 13th, 1961, the Sector Boundary dividing West Berlin and East Berlin was crossed by 500,000 Berliners every day. Eight to ten million inhabitants of East Berlin and the Soviet Occupation Zone visited cultural and sporting events in West Berlin every year. Approximately 30 million preferential tickets were sold in 1960 to inhabitants of East Berlin and the Soviet Zone in public conveyances of West Berlin. Until August 13th, 1961, the metropolitan railway (S-Bahn) and the underground railway (U-Bahn) were public conveyances for inter-sector passenger traffic.

The communist sealing-off measures, however, ended the through-traffic of eight metropolitan and of four underground lines. In the Soviet Sector, all the 48 metropolitan railway stations were closed for inter-sector traffic, and, of the 33 underground stations in East Berlin, 13 were closed completely. For the inter-sector traffic of foreigners and citizens of the Federal Republic of Germany a special platform has been established in East Berlin both at the metropolitan and at the underground station in Friedrichstrasse.

The sector and zonal border round West Berlin cuts 193 major roads and by-roads, 62 of them leading into East Berlin and 131 into the Soviet Zone.

Before August 13th, 1961, the sector boundary between West Berlin and the Soviet Sector could be crossed at 81 crossing-points.

On August 13th, 1961, 69 crossing-points were blocked by barbed wire or walled up. Twelve specially marked crossing-points remained open for the purpose of entering the Soviet Sector.

On August 23rd, 1961, five of the check points were closed; on August 15th, 1962, there were thus seven crossing-points left.

Friedrichstrasse:

for foreigners, members of the diplomatic corps and the allied forces;

Bornholmer Strasse

Heinrich-Heine-Strasse:

for citizens of the Federal Republic of Germany. This crossing-point is the place for goods traffic between West Berlin and Soviet-occupied territory to pass;

Chausseestrasse

Invalidenstrasse

Oberbaumbrücke

Sonnenallee:

for West Berliners working in the Soviet Sector and possessing a special identity-card (approx. 6,000 persons).

The obstructions consist of:

12 km (7.45 miles) of wall

(= appr. 7,200 cbm or 254,268 cubic feet of concrete slabs which represents the building material for 150 self-contained houses);

137 km (85.08 miles) of barbed-wire entanglements

(= 8,000 to 10,000 km or 4,968 to 6,210 miles of barbed wire);

450,000 to 500,000 qm (538,000 to 598,000 square yards) of aisles through forests, death strips and guarded zones.

For the purpose of guarding the zonal and sector borders more carefully, 116 watch-towers were built within and round Berlin after August 13th, 1961; 84 of these were built within the border-district of the East Zone; 32 watch-towers were erected along the sector border running through built-up areas.

After August 13th, 1961, *loud-speakers* were installed along the zonal and sector borders in order to broadcast communist propaganda programmes to West Berlin. In the middle of August their number amounted to 216.

The blocking of Bernauer Straße is a particularly striking example for the absurdity of the "*precautionary measures*."

Bernauer Strasse is a border street between the administrative districts of Wedding (French Sector) and "Mitte" (Soviet Sector). It leads through a purely residential area. It is situated between Schwedter Strasse and Gartenstrasse and has a total length of 1.4 km (0.87 miles). The boundary is formed by the Southern building line, i.e. the buildings on the Northern side together with the roadway and both pavements belong to West Berlin. The buildings on the South side of the road form part of the Soviet Sector.

When, after the sealing-off measures of August 13th, 1961, many people from the houses situated in the Eastern Sector fled on to the pavement in front of their houses which belonged to West Berlin, the People's Police started to brick up doors and windows. After desperate East Berliners had not hesitated to jump from the third, fourth, and even fifth floors, the houses situated in East Berlin were compulsorily evacuated by the People's Police. Supposing that each of the buildings usually consisting of four or five floors had 15 flats only, this meant that more than 580 flats were cleared. In fact, however, the number of abandoned flats is probably larger, since the inhabitants living in the corner houses of the cross-roads were evacuated, too. In the course of the main evacuation operation in Bernauer Strasse on September 24th, 1961, alone, nearly 2,000 people were evicted from their homes. More than fifty doorways — the entrance of the "Church of Conciliation" among them —, 37 shops, and 1,253 windows were bricked up.

The total length of bricked-up buildings in Bernauer Strasse amounts to 750 metres (819.75 yards). Moreover, after August 13th, walls were erected within the reach of Bernauer Strasse for a distance of more than 400 metres (437.2 yards). Six cross-roads coming from East Berlin and joining Bernauer Strasse were blocked and reflectors brought into position which lit up the street for over a distance of 250 metres (273.25 yards).

In Bernauer Strasse, several dozen people managed to escape to West Berlin. Numerous people were injured or seriously injured when jumping from windows. Four East Berliners were killed in their bid for freedom.

As a result of the cordoning-off measures effected by the Soviet Zone authorities, almost 10,000 inhabitants in the free part of the city have lost their *allotment gardens* or *smallholdings* with a *weekend house* located in East Berlin since 13th August, 1961. As early as 1952, 40,000 West Berliners had to forfeit without compensation their properties and real estate in the sector boundary area along the border of West Berlin as a result of the separation measures taken in the Soviet Zone.

Until the beginning of August, 1961, approx. 53,000 inhabitants of the Soviet Sector had a place of work or

employment in West Berlin. On 2nd August, these so-called "*border crossers*" were prevented from working in the free part of the city by Soviet Zone authorities. Similarly, about 1,100 pupils and more than 500 students cannot continue their education and studies in West Berlin.

The zonal and sector borders in and around Berlin cut across densely populated residential areas. Numerous houses, streets and housing-estates near the boundary were forcibly evacuated by the Soviet Zone People's Police to deprive the people of East Berlin of any possibility of escaping or of contacting the inhabitants of West Berlin. The heavily armed evacuation detachments appeared without warning, mostly in the small hours, and took the unsuspecting house- and flat-owners by surprise. Furniture and household effects were packed in a rough-and-ready fashion in the shortest possible time, loaded on to lorries and taken away. These involuntary evacuees were for the time being accommodated in provisional, improvised reception camps, mostly school gymnasiums. Nothing is known of their further whereabouts. Available statistics put the number of Soviet-sector inhabitants affected by this action at 3,835.

This *compulsory evacuation* was carried out inter alia in the following large-scale operations:

On 20th September, 1961: in Harzer Strasse opposite the district of Neukölln, West Berlin — 20 houses accommodating approx. 250 families — and at the Späthbrücke opposite the West Berlin district of Britz, 8 one-family houses.

From 24th-27th September, 1961: the houses along the sector boundary in Bernauer Strasse. Nearly 2,000 people had to evacuate their homes.

On 30th September, 1961: numerous houses along the boundary in Johannisthal in the East Berlin district of Treptow.

From 14th-19th October, 1961: more houses along the sector border in Bernauer Strasse as well as corner houses to a distance of 150 yards along side streets.

On 26th February, 1962: more than 30 houses in Gross-Ziethen opposite the administrative district of Lichtenrade in West Berlin.

On 27th February, 1962: about 20 houses in Staaken opposite the West Berlin administrative district of Spandau.

On 18th July, 1962: houses along the sector border in Sebastianstrasse opposite the West Berlin district of Kreuzberg and in the Schiffbauerdamm opposite the district of Tiergarten.

On 26th July, 1962: It is revealed that Soviet Sector authorities have expropriated the property of the members of the community of the "Church of Conciliation" in Bernauer Strasse. This also includes the "Church of Conciliation" itself, the Burckhardt training centre for parish sisters and the parish communal centre.

On 9th August, 1962: the apartment-houses along the sector boundary in Wollankstrasse opposite the West Berlin district of Wedding.

IV.

VIOLATION OF HUMAN RIGHTS AND CRIMES AGAINST LIFE AND HEALTH

Since 13 August, 1961, armed agents of the Soviet zone regime, while carrying out their most essential task of preventing inhabitants of the Soviet Sector of Berlin and the Soviet Zone from escaping to West Berlin, have violated human rights in innumerable cases.

Soviet Zone border guards have used fire-arms in 358 cases in and around Berlin. Eighty-six attacks on West Berlin police sentries or patrols have been recorded.

Only those cases are reported here in which fire-arms and brute force have been employed against defenceless persons, or in which the unscrupulousness and shameless disregard for human rights of the rulers of the Soviet Zone are displayed. Names have been given only when no danger is likely to be incurred by persons living in the Soviet Zone or the Soviet Sector of Berlin.

Screams and shots are frequently to be heard from the other side of the border line between the Soviet Zone or the Soviet Sector, the cause and consequences of which cannot be detected. A list of crimes and injustices cannot therefore claim to be complete; on the contrary, it will never consist of more than a fraction of the events.

The "Zentrale Erfassungsstelle der Landesjustizverwaltungen" (Central registration agency of the Land judicial administrations) which was established on 15 November, 1961, pursuant to an agreement between the Ministers and Senators of Justice of the Federal Republic of Germany for the purpose of registering acts of violence committed in the Soviet Zone and East Berlin, and for taking steps that these should be atoned for in due course has, up to the beginning of August 1962, instituted preliminary investigations in almost 800 cases against members of the armed forces of the Communist regime in the Soviet Zone of occupation in Germany, on grounds of murder, manslaughter, attempted murder, attempted manslaughter, deprivation of liberty and kidnapping.

1. Homicidal crimes

During the afternoon of 24 August, 1961, *Günter Litfin*, a 25-year-old tailor, attempted to swim across the Humboldt Dock in the neighbourhood of Lehrter Station and to reach the West Berlin shore. He was shot to death by *Herbert Paul*, Master Sergeant (Meister) of the Soviet zonal Transport Police, after he had already passed the middle of the dock basin. In the afternoon of 24 August, 1961, the body was recovered from the Soviet Sector side (see pictorial section).

On 29 August, 1961, at 14.10 hours, two men (names unknown) attempted to swim across the Teltow Canal from the Soviet Zone shore to Berlin-Lichterfelde-West.

Soviet Zone People's Police and members of so-called combat squads fired upon the swimmers with rifles and tommy-guns. One was hit and sank in the middle of the canal, the other refugee turned back and was arrested. Up to now the body has not been found. The names of the shotsmen are known.

According to reports by relatives, the 27-year-old *Axel Brückner*, of Güterglück, district Zerbst (Soviet Zone), was shot in the Soviet Zone at the end of September, 1961, while attempting to escape to West Berlin. *Brückner's* mother was informed by the People's Police that her son had suffered a fatal accident on the border.

In the evening of 4 October, 1961, two men attempted to escape to West Berlin by jumping from the roof of No. 44 Bernauer Strasse (Soviet Sector). They were discovered and fired at by Soviet Sector border guards.

The 23-year-old student *Bernd Lünser* jumped into Bernauer Strasse which belongs to West Berlin, but missed the sheet stretched by the fire brigade and was killed. It is believed that the second refugee was beaten to death in the attic of No. 44 Bernauer Strasse.

On 5 October, 1961, towards 23.40 hours, two men attempted to swim across the Spree near the Oberbaum Bridge in Berlin-Kreuzberg, in order to reach West Berlin.

In the middle of the stream they were shot at by Soviet zonal border guards: one of them (name unknown) was fatally hit and the body recovered by Soviet Zone Water Police.

The second refugee, the 26-year-old engineer *Udo Düllick*, also did not succeed in reaching the western bank. After a long search he was picked up dead by the fire brigade. No external wounds were visible. A medical examination revealed that death had been due to drowning.

A former sergeant of the Soviet zonal Transport Police who escaped, reported that on 13 October, 1961, towards 21.00 hours, a man of about 23, who, it is supposed, had tried to escape to West Berlin in a goods train, was shot by Soviet zonal Transport Police between the stations Potsdam-Stadt and Babelsberg.

On 14 October, 1961, towards 22.20 hours, the 26-year-old transport worker *Werner Probst*, of Berlin O. 17, attempted to swim across the Spree to West Berlin in the neighbourhood of the Schilling Bridge. He was discovered and fired at by Soviet zonal frontier guards, and was hit in the head, heart and lungs. The body was recovered from the Soviet Sector bank.

As reported by a former Sergeant of the Soviet zonal Transport Police, a man of unknown age, who tried during the night preceding 18 October, 1961, to escape to West Berlin in a goods train, was shot at and hit by Soviet zonal Transport Police between the stations Potsdam-Stadt and Babelsberg. The refugee is said to have died next day of his wounds.

On 27 October, 1961, at 03.50 hours a young man from the Soviet Zone, whose name remained unknown, was discovered by Soviet zonal border guards between the barbed wire entanglements in Berlin-Reinickendorf at the City Railway-Station Wilhelmsruh on his way to West Berlin, and was shot down. The severely injured man was brutally dragged 30 metres through the barbed wire and was left lying for an hour before he was taken away. He died next morning in a hospital in the Soviet Sector.

A former Sergeant of the Soviet zonal Transport Police reported that on 31 October, 1961, a man, name unknown, was shot by Soviet zonal Transport Police.

The man is alleged to have been drunk and to have been found on the railway embankment between the stations Potsdam-Stadt and Babelsberg.

A refugee reported that the Soviet zonal border guard *Lothar Lehmann*, born 1941, resident in Falkensee, Rabenweg 74/75, was shot, supposedly while attempting to escape to West Berlin.

His mother was informed by his unit that her son had lost his life "through an accident while in the army".

According to the refugee's account, *Lehmann* attempted to swim to West Berlin across the north-eastern end of the Jungfernsee, near to the Sakrow Ferry.

On 9 December, 1961, towards 19.15 hours, the 21-year-old Austrian *Dieter Wohlfahrt*, together with two other persons from West Berlin, cut through the border fence in Berlin-Staaken at the corner of Bergstrasse and Hauptstrasse, in order to help a relative to flee to West Berlin. They were discovered by Soviet zonal border guards, who fired on them from tommy-guns. The Austrian student was hit several times and fatally injured; his two companions succeeded in reaching West Berlin territory again unharmed. *Wohlfahrt* was left to lie for an hour with fatal injuries before the Soviet zonal guards carried him away.

On 10 December, 1961, towards 23.00 hours, the 22-year-old *Ingo Krüger* from the Soviet Sector, dressed in a diver's suit and with an oxygen apparatus, tried to swim through the Spree from Marshall Bridge to West Berlin. The crew of a boat of the Soviet zonal Customs and Goods Traffic Control Office discovered the refugee and tried to haul him into the boat with grappling-hooks. About two hours later the boat was seen to return to the eastern bank of the Spree with a lifeless body on board. The cause of death is not known. The relatives were informed that the corpse had been cremated. *Krüger* was the son of a woman "People's Judge".

It was learnt on 29 January, 1962, that the 55-year-old *Allred Bendt* had been shot while trying to escape from the Soviet Sector to West Berlin in the middle of January 1962. After repeated inquiries to the registration office in the Soviet Sector, his wife, who is resident

in West Berlin, was informed on 8 March, 1962, that her husband had died on 18 January, 1962, "as the result of an accident".

On 19 February, 1962, towards 01.30 hours, 3 men and 1 woman attempted to flee from the Soviet Sector in Berlin-Wittenau, Am Wilhelmsruher Damm. Their flight was prevented through 3 rounds of machine-gun fire from Soviet zonal border guards. One man was wounded by a shot in the shoulder and the 21-year-old dressmaker *Dorit Schmiel* killed by a shot in the stomach.

On 27 March, 1962, towards 20.50 hours, the 28-year-old butcher *Heinz Jercha* of Berlin-Treptow, Heidelberger Strasse 75, was killed by a pistol shot from a Soviet zonal soldier, while helping persons from the Soviet Sector to escape through a tunnel which he had dug under the Wall.

He was able to reach West Berlin, but died on the way to hospital from internal haemorrhage.

At the side of the Autobahn in the Soviet Zone, south of the check point Drei Linden, a Soviet zonal border guard who attempted to flee to West Berlin was killed by shots from a tommy-gun fired by his comrades, on 3 April, 1962, towards 13.45 hours.

The man who fired the shot first set his police dog on the escaping man and so prevented him from reaching West Berlin.

On 18 April, 1962, at 01.06 hours, a lorry broke through the barricades at the sector border of Prinzen- and Heinrich-Heine-Strasse in the district of Kreuzberg.

Soviet zonal border guards fired some 20 shots at the 3 occupants. The vehicle came to a halt in front of 34 Prinzenstrasse in West Berlin. The 24-year-old driver, *Klaus Brueske*, had been killed by a shot in the back of his neck, the 29-year-old M. was injured by a shot in the back, and the 20-year-old G. had a bruised pelvis.

On 18 April, 1962, towards 02.00 hours, the 19-year-old G., non-commissioned officer in the "National People's Army", fled from Kohlhasenbrück (Berlin-Wannsee) to West Berlin.

While crossing the double line of barbed wire at the demarcation line he was shot at by Soviet zonal border guards, and his companion-in-flight, the 19-year-old non-commissioned officer *Peter Böhme*, was killed.

On 29 April, 1962, towards 00.15 hours, two young men from the Soviet Sector, cut through the barbed wire entanglements which form the demarcation line at Berlin-Reinickendorf near the railway bridge of Siebenbrücken, in order to flee to West Berlin. While doing so they were shot at by Soviet zonal border guards.

One refugee was able to reach West Berlin territory unhurt; the 20-year-old *Horst Frank* was fatally hit. The body was removed by the Soviet zonal fire brigade.

On 27 May, 1962, at 16.40 hours, a man who was about to flee to West Berlin was shot down by Soviet zonal border guards from the outside wall of the Charité hospital in Berlin N.W. 21, at the Sandkrug Bridge on the Alexander Embankment in the Soviet Sector.

A customs officer and a policeman, who were watching the events from West Berlin, were also shot at by the Soviet zonal border guards.

The refugee died later of his wounds in a hospital in the Soviet Sector.

A man whose name remained unknown attempted on 5 June, 1962, towards 17.30 hours, to swim across the Spree from the Soviet Sector in the neighbourhood of the Reichstag Embankment. A Soviet zonal border guard fired 6 shots at the refugee from the embankment. Some two hours later Soviet zonal frogmen recovered the body of the unknown man (see pictorial section).

On 22 June, 1962, sentries in Berlin-Neukölln (West) saw a man who was trying to flee shot down some 20 metres from the Wall. The unknown man was left to lie for about an hour beside the roadway in Neuköllnische Allee in the neighbourhood of Forsthausallee before he was carried away, obviously dead, by the East Berlin fire brigade.

In the course of an attempt to bring over relatives to West Berlin through a tunnel which they had dug in Sebastianstrasse, Berlin S.W.61, three young West Berliners were shot at by Soviet zonal border guards on 28 June, 1962, at 12.00 hours.

Two of the refugees were wounded by shots and arrested, the 23-year-old painter *Siegfried Noffke*, of Berlin SO 36, Wiener Strasse 35, met his death. The 23-year-old mechanic *Dieter Hötger* and a resident of the Soviet sector were injured by shots and arrested.

In the attempt to escape to the exclave Eiskeller near Spandau, which belongs to West Berlin, a 22-year-old man from the Soviet Zone was shot and killed by Soviet zonal border guards on 29 July, 1962, three metres in front of the barbed wire surrounding the exclave.

On 15 August, 1962, police heard a round of 15 shots fired from a tommy-gun in a settlement in the Soviet Zone adjoining the demarcation line between Spandau and Falkensee. Five minutes later a second round was fired. An hour later two wounded persons were removed from a Soviet zonal observation tower. A third casualty was carried away in a lifeless condition from a spot on the border fence where repairs were later carried out. The unknown man was obviously shot while escaping.

On 17 August, 1962, towards 14.12 hours, two 18-year-old youths attempted to reach West Berlin by climbing over the Wall in Zimmerstrasse (Soviet Sector), between Charlotten- and Markgrafenstrasse. They were discovered and fired upon by Soviet zonal border guards. While one of them succeeded in reaching West Berlin unhurt, the 18-year-old *Peter Fechter*, last resident in Berlin-Weissensee, Behaimstrasse 11, was hit and lay severely wounded between the barbed wire and the Wall.

West Berlin police threw bandage material across to him, but owing to weakness he was unable to make any use of it.

Towards 15.10 hours Soviet zonal border guards threw out a smoke screen between *Fechter* and West Berlin territory, in the course of which 10 tear gas bombs were thrown into the crowd which had collected on this side of the Wall. West Berlin police then went into action and threw 10 tear gas burners into the Soviet Sector. *Fechter*, who was mortally wounded, was carried off in a brutal manner by border guards under the protection

of the smoke screen. At 18.45 hours a board was displayed from the window of a corner house not far from where the event had taken place with the words "He is dead" (see pictorial section).

2. Bodily injuries

On 4 September, 1961, towards 15.40 hours, a border guard whose name has remained unknown, reached across the barricade, and hit a 26-year-old woman, who was standing on the west side of the demarcation line, on the head with his truncheon. The woman had been trying to wave to her daughter, who was staying with her grandmother in the Soviet Sector.

On 15 September, 1961, at 15.10 hours, a motor boat with 2 occupants crossed the demarcation line on the Havel to the north of Glienicke Bridge, on its way from the Sakrow Ferry in the direction of Jungfernsee, and was prevented from proceeding further by two shots from a Soviet zonal patrol boat.

A 27-year-old occupant who had been shot in the thigh was allowed to return to West Berlin, while his 41-year-old companion was arrested.

On 23 September, 1961, the 20-year-old *P.*, together with 6 other persons, attempted to flee to West Berlin in Reinickendorf-Rosenthal. They were prevented from doing so by firing on the part of Soviet zonal border guards, two refugees were wounded and arrested.

During an attempt made on 13 October, 1961, towards 03.00 hours, to flee to West Berlin from Berlin-Neukölln, Köllnische Heide, a 21-year-old master mechanic was so severely wounded by shots from Soviet zonal border guards that he suffered paralysis of the spinal cord and will remain a cripple all his life.

On 18 October, 1961, a refugee, name unknown, was overtaken, knocked down and wounded in the border area of the Soviet Zone before reaching West Berlin, by Lieut. *Wilke* of the 2nd Soviet zonal Border Brigade.

On 20 November, 1961, towards 00.50 hours, 3 young men escaped to West Berlin across the Spree in the neighbourhood of the Schilling Bridge.

They were shot at by Soviet zonal border guards with tommy-guns, their attackers following them in a Soviet zonal police boat until close before the western bank.

The 25-year-old *H.* and the 31-year-old *K.* reached the western bank unhurt, while the 24-year-old *S.* received 6 wounds in part severe.

On 5 December, 1961, towards 23.40 hours, in Berlin-Staaken, Nennhauser Damm/Spandauer Strasse, the 26-year-old workman *N.*, who had approached the demarcation line, was shot at without warning by Soviet zonal border guards and wounded in the right leg.

On 25 January, 1962, *Hans-Jürgen Bob* of Drewitz-Babelsberg (Soviet Zone) made some derogatory remarks in a pub concerning the SED-regime. After being threatened, he attempted to flee to West Berlin, but was overtaken by the non-commissioned officer *Blaschke* (2nd Border Brigade), and knocked down with a tommy-gun. *Bob* received a fracture of the skull and a double fracture of the jaw.

On 19 February, 1962, four persons attempted to flee to West Berlin, and were shot at by Soviet zonal border

guards. Three of the refugees were at once arrested, a woman was wounded by shots. She was not carried away until 30 minutes after the incident.

On 26 February, 1962, at 19.20 hours, a 33-year-old West Berliner cut the double barbed-wire entanglements forming the zonal border in Berlin-Wannsee, Am Böttcher Berg, in order to help an acquaintance to escape.

Soviet zonal border guards fired 2 rounds of about 10 shots from a tommy-gun at him, which caused him to discontinue his attempts. He returned to West Berlin territory with a shot through his left upper arm.

His friend had to be left behind in the Soviet Zone.

On 23 May, 1962, at 17.25 hours, the 15-year-old schoolboy *T.* from Erfurt (Soviet Zone) tried to escape to West Berlin by swimming through the Spandau Shipping Canal near Sandkrug Bridge in the Tiergarten district. Soviet zonal border guards shot at him after he had already reached the western side of the canal.

In order to save the severely-wounded boy, West Berlin police were obliged to return the fire. One Soviet zonal policeman was fatally hit and another wounded (see pictorial section).

On 26 May, 1962, towards 13.40 hours, in Berlin-Frohnau, Am Rosenplüterweg, a 30-year-old man was seen to be hit several times by Soviet zonal border guards firing a tommy-gun. He was subsequently carried off in the direction of Glienicke.

On 10 June, 1962, an 18-year-old and a 15-year-old boy from the Soviet Sector escaped to West Berlin over the cemetery wall of the Church of St. Sophia in Bernauer Strasse. In the course of this they were fired upon by Soviet zonal border guards; one of the refugees was wounded in the right thigh and left leg.

On 1 July, 1962, an unknown man in Berlin-Wedding was seen to be fired at during an attempt to flee and carried off by Soviet zonal border guards in Bornholmer Strasse at the Behmstrasse Bridge.

In the early morning hours of 25 July, 1962, the 24-year-old *Sch.*, the 27-year-old *Werner Reumann* and the 18-year-old *Hans Raddey* tried to flee from the Soviet Sector to West Berlin.

While approaching the barbed-wire barricades they were fired upon by border guards. *Sch.* succeeded all the same in reaching West Berlin unhurt, but *Raddey* abandoned his plan and was arrested by the border guards. *Reumann* was hit by a bullet as he was about to climb over the last fence, and was probably fatally wounded.

3. Kidnapping, Abduction and Deprivation of Liberty

On 27 September, 1961, towards 20.15 hours, two Soviet zonal People's policemen pretended to make an attempt to escape in Berlin-Treptow. When a man from West Berlin started to help them to climb over the Wall, they attempted to drag him across the barricade into the Soviet Sector. A man who hurried to the spot was able to prevent this.

On 7 October, 1961, at 21.30 hours, the 21-year-old worker *M.* was forced by 4 Soviet zonal border guards, who threatened him with guns, to cross over the barbed-

wire barrier from West Berlin territory into the Soviet Zone in the neighbourhood of the demarcation line in Berlin-Rudow, Zwickauer Damm.

He was taken away and spent 3 months in various Soviet zonal prisons before he was allowed to return to West Berlin.

On 7 October, 1961, in Heiligensee a drunken man who insulted several Soviet zonal border guards close to the barbed wire barrier, was fired upon by the latter, dragged through the fence and taken away in chains.

On 7 October, 1961, towards 12.00 hours, five Soviet zonal border guards in Lübars compelled three men who had been standing on West Berlin territory close to the barbed-wire barrier, to crawl through the barricade by threatening to fire upon them. They were then arrested and sent back only after being investigated for several hours.

On 8 October, 1961, towards 21.00 hours, 4 young West Berliners were decoyed into a trap in West Berlin territory by Soviet zonal border guards in Berlin-Rudow along the Mittenwald railway, and there were fired upon. While 2 of them were able to escape, the other two, one of whom had been shot in the knee, were abducted into the Soviet Zone.

These two were given sentences of long imprisonment by a Soviet zonal court for alleged violation of the frontier.

The border guards who carried out the abduction had arranged to meet the 4 young men, who the evening before had given them cigarettes and beer, and to whom they had confided alleged intentions of flight.

On 9 December, 1961, at 16.15 hours, 4 men were fired upon by Soviet zonal border guards in Berlin-Staaken (West), near Seeburger Weg. One of the young men was severely wounded.

After that the soldiers crossed the demarcation line into West Berlin territory and abducted the 20-year-old *Martin Sonnaben* and the 18-year-old *Rainer Schröter* into the Soviet Zone.

On 21 December, 1961, a 50-year-old woman was arrested by Soviet zonal border guards in Berlin N. 65, Boyenstrasse (Soviet Sector), because she had waved across to West Berlin.

On 15 March, 1962, towards 11.00 hours, the 29-year-old customs official *Sch.* who was patrolling the demarcation line with a police dog, was attacked by Soviet zonal border guards, who had hidden in an ambush on West Berlin territory, and was abducted into the Soviet Zone by means of threats with fire-arms and the use of violence.

It was three hours before he was released by the Soviet zonal border guards.

First Lieut. *Schmalz* was in command of the abduction party.

On 1 June, 1962, towards 21.00 hours, the 16-year-old West Berlin girl *Sch.* and her 17-year-old girl friend *G.* climbed from the West Berlin side over the barbed-wire barricade in Berlin-Lichterfelde-Süd, at the demarcation line between Ostpreussendamm and Teltow Canal, with the permission and the aid of Soviet zonal soldiers. After

they had crossed about 50 metres into the Soviet Zone, they were shut into a garden by the soldiers, and told that they were arrested. One girl escaped from the garden and climbed through the barricade in the direction of West Berlin. While doing so, she was fired upon by the border guards and wounded in the pelvis. All the same she was able to reach West Berlin territory, while the other girl was kept back in the Soviet Zone.

4. Arrests and Terror Sentences

Three youths from West Berlin, *Gerhard Carow*, *Jörg Schmidt* and *Peter Hellwig* were sentenced on 22 August, 1961, by the East Berlin Municipal Court to prison terms of seven, five and four years respectively, on grounds of "organized slave trade with forged identity cards".

Two youths from West Berlin were sentenced on 6 September, 1961, by the East Berlin Municipal Court to ten and five years' penal servitude respectively, on grounds of "diversion, acts of violence endangering the public order, and endangering of transports" (through the smashing of city railway cars).

Four young men from West Berlin between the ages of 19 and 27 years (*Lutz Malik*, *Werner Winkel*, *Olaf Stöhr* and *Horst Jaschob*) were each sentenced on 9 September, 1961, by the East Berlin Municipal Court to two years' imprisonment, on grounds of aiding to escape from the Soviet Zone.

On 24 September, 1961, the 20-year-old *P.*, together with other persons, was sentenced by the East Berlin Municipal Court to a prison term of one year and four months, on account of "attempted flight from the Republic".

Six foreigners *Henri Pierrot* (Netherlands), *Gilbert Ferrey* and *Victor Pankey* (U.S.A.), *Bernard Collet* (England) and *El Mesheb* and *Recha Azer Salib* (United Arab Republic) were, on 26 September, 1961, sentenced by the East Berlin Municipal Court to terms of imprisonment between three and one-and-a-half years, on grounds of aiding "illegal departure" from the Soviet Zone by misusing their foreign passports.

On 23 December, 1961, *Wolfram Wurche*, student at the East Berlin Humboldt University, was sentenced by the East Berlin Municipal Court to a prison term of three-and-a-half years, for attempting to smuggle the fiancée of his refugee brother into West Berlin with a forged foreign passport. The co-accused persons *Klaus-Dieter Minx* (student), and the 28-year-old Swiss national *Andreas Stalder* received prison sentences of three-and-a-half and two-and-three-quarter years respectively.

On 5 November, 1961, at check-point Babelsberg, the 22-year-old *Gerhard Trödel*, Herr und Frau *Pagel* and *Monika Benzin* from West Berlin were arrested by Soviet zonal guards for aiding a friend to flee to West Berlin from the Soviet Zone. On 28 February, 1962, the Potsdam District Court passed the following sentences, on grounds of "aiding flight from the Republic": *Trödel* received 1 year's imprisonment, the *Pagels* 10 months' and *Monika Benzin* 8 months' imprisonment.

Werner Alf, student of mathematics in West Berlin, was sentenced to 10 years' penal servitude by the East Berlin Municipal Court. Alf was charged with having, between 14 August, 1961, and 29 September, 1961, smug-

gled 10 citizens of the Soviet Zone, mostly students, into West Berlin, with the aid of forged identity cards. An Indonesian student and a Danish woman student were sentenced as co-accused to two-and-a-half and one-and-a-half years' imprisonment respectively.

On 21 March, 1962, two young Italians living in West Berlin were each sentenced by the East Berlin Municipal Court to three years' imprisonment on grounds of "smuggling persons". They had attempted to bring an East Berlin woman in their car to West Berlin.

On 19 May, 1962, four students from Hamburg and West Berlin (*Adalbert Sauma*, *Rolf Niemann*, *Karl Ernst Wenke* and *Dirk Hagener*) were sentenced by the East Berlin Municipal Court to terms of between three years' penal servitude and two years' imprisonment, on grounds of "inducing to depart from the German Democratic Republic". (One of the students was arrested on his way back to Sweden on 22 February, 1962 on grounds of having "spied upon the railway line Berlin-Warnemünde".)

On 16 June, 1962, the press department of the Soviet zonal Ministry of the Interior announced that a group of juveniles (*Gerhard Blechschmidt*, *Richard Küter*, *Helmut Werner*, *Fritz Kleinert*, *Peter Schubert*, *Bodo Kindt*, *Hans-Joachim Jendrejctak* and *Wolfgang Richter*) had been arrested while attempting "to break with violence across the national frontier of the German Democratic Republic into West Berlin".

On 21 June, 1962, it was learned in West Berlin, that the West Berlin student *Manfred Görlach*, who was arrested in December 1961, had been sentenced by the Potsdam District Court to four years' penal servitude "for having induced" inhabitants of the Soviet Zone to go to West Berlin. The 19-year-old *Karl Hübschmann*, member of the "People's Marine", was sentenced to five years' penal servitude, on grounds of "an attempt to make an armed crossing of the frontier and desertion".

On 4 July, 1962, the First Penal Chamber of the Supreme Court in East Berlin sentenced the West Berlin students *Steglich* and *Mohr* and the employee *Skrypczak* to terms of penal servitude of 15, 7 and 5 years respectively, on grounds of "preparing and/or carrying out armed provocation against the national frontier in Berlin". The East Berliners *Richter* and *Blechinski* received penal sentences of 8 and 9 years respectively.

On 14 July, 1962, after four days' hearing before the East Berlin Municipal Court, the American student *Robert Mann* was sentenced to one year and nine months' penal servitude for having aided the East Berlin student *Uwe Stuhrberg* to flee. *Stuhrberg* was sentenced to one year's imprisonment on probation.

From 2 to 6 August, 1962, nine juvenile East Berliners, between the ages of 16 and 21 years, were accused before the East Berlin Municipal Court of having, during the night of 16-17 June, attempted "to break across the frontier with violence" in the district of Blankenfelde. The public prosecutor asked for the following sentences to be passed: for *Richard Küter* and *Klaus Fuchs* each ten years' penal servitude, for *Jürgen Flegel*, *Klaus Kocher*, *Norbert Linke* and *Erika Kargus* each six years' penal servitude, for *Renate Lindow* five years' penal servitude and for *Ernst Pleiffer* three years' penal servitude.

V.

SERIOUS INCIDENTS

1. Encroachments and illegal acts on the part of Soviet zonal armed and uniformed agents

On 1 September, 1961, a People's policeman and four other men crossed over to West Berlin near Heiligensee in pursuit of a refugee, and fired several shots.

On 30 September, 1961, towards 14.40 hours, at the Wall on the corner of Bernauer Strasse and Brunnenstrasse, a Soviet zonal frontier guard fired two shots from his pistol at a West Berlin policeman without obvious reason.

On 5 October, 1961, towards 12.00 hours, a West Berlin policeman who was standing in Bernauer Strasse, Berlin N. 58, in the yard of the North Station, was ordered several times to retreat further back from the Wall, and then fired at by a Soviet zonal frontier guard, although he was clearly standing on West Berlin territory.

During the night of 12 October, 1961, in Reinickendorf, near the Underground station Wilhelmsruh, 10 members of the Soviet zonal People's Police, under the command of an officer, entered West Berlin territory and attempted to force their way into a house, in which they suspected a refugee comrade to be.

During the late hours of 13 October, 1961, between 10 and 15 rifle shots were fired at two 21-year-old refugees, who were climbing over the barbed-wire barricade and the Wall in Schwedter Strasse, Berlin N. 65, in order to flee to West Berlin. The bullets landed on this side of the Wall and endangered policeman and pedestrians.

On 5 December, 1961, nine Soviet zonal policemen fired at a refugee who had already reached West Berlin territory on the south side of the Britzer branch canal, and thus forced him to crawl back through the barbed wire into East Berlin. Two shots were aimed at a West Berlin Customs officer who ordered the People's policeman to cease fire.

On 13 February, 1961, towards 15.00 hours, Soviet zonal border guards in Berlin N. 65 ordered police officers, who were standing in the yard of the North station in West Berlin, to leave their observation post. When the latter did not comply with the demand, they were fired at, whereupon they fired back in self-defence. Several shots were exchanged.

On 9 April, 1962, a lorry broke through the barricade in Boyenstrasse, Berlin N.O. 5, and came to a standstill. The two occupants left the vehicle and fled towards West Berlin. After they were already 100 metres to this side of the Wall, they were fired upon by border guards, thus endangering West Berliners.

On 21 April, 1962, a West Berlin radio police patrol was fired upon by a Soviet zonal border guard out of a window of a house at the corner of Ruppiner Strasse and Bernauer Strasse. The West Berlin Police fired back.

On 30 April, 1962, towards 01.20 hours, a man who was attempting to flee was observed to be arrested by Soviet zonal border guards in Berlin-Reinickendorf, near Klemkestrasse. After 15 shots had been fired from a tommy-gun, a man in civilian clothes, who had already succeeded in reaching a communication trench, was seen to be led off with uplifted hands.

One of the shots penetrated a house in West Berlin.

In the early hours of 17 June, 1962, Soviet zonal Transport Police in Pankow fired upon a refugee who had jumped from a goods train, climbed through two barbed-wire barricades, and already reached West Berlin.

On 18 July, 1962, a man resident in West Berlin cut through the barbed wire on Wilhelmsruher Damm, opposite Rosenthal Cemetery, in order to help his wife to escape from the Soviet Sector. He was fired upon by Soviet zonal soldiers; policemen from West Berlin fired back to protect him. The man remained unharmed, but nothing is known as to the fate of his wife.

2. Deaths resulting from the sealing-off measures

On 19 August, 1961, at 12.15 hours, two married couples tried to flee to West Berlin from a house on the side of Bernauer Strasse belonging to the Soviet Sector. They had fastened a clothes-line to the cross-bars of a window of a first-floor apartment, and were climbing down. While the 47-year-old *Rolf Urban* was in process of doing this the rope broke, so that he fell upon the pavement, and had to be taken to hospital with a complicated fracture of the leg and other injuries. He died there on 15 September, 1961.

On 22 August, 1961, towards 06.40 hours, the 60-year-old *Ida Sieckmann* jumped from the third floor of her house in Bernauer Strasse on to the pavement which belongs to West Berlin, and was killed immediately.

On 25 September, 1961, at 21.05 hours, the 80-year-old pensioner *Olga Segler* jumped from the second story of No. 34 Bernauer Strasse (Soviet Sector) into a sheet held out by the fire brigade. She suffered a bad shock and a bruised back, and died next day from the effects.

On 29 September, 1961, the 81-year old pensioner *Ida Zehnter* committed suicide by gas-poisoning in her home in the Soviet Sector.

The old lady had applied to the competent district authority for permission to move to West Berlin to her daughter and grandchildren.

The request was rejected and a remark added to the effect that a note could be made should she wish, in case of her decease, to be buried outside "Democratic Berlin". "Until such time" it stated literally, "which certainly was not far off", she must remain a citizen of the capital of the Workers' and Farmers' State. The office which sent this message, and the signatory of it are known.

The 19-year-old electrician *Philipp Held* met his death between the 8 April, 1962, and 11 April, 1962, presumably in trying to swim across the Spree from the Soviet Sector to West Berlin.

On 30 April, 1962, *Held's* mother, who lives in Worms, was informed by the Public Prosecutor of the Soviet Sector that her son had met with a "fatal accident".

Although she was informed in the same letter that the body had been released for burial and that she could make her own arrangements regarding this, she was told on the same day in a telephone message from the Soviet zonal Public Prosecutor that the body of her son had already been cremated.

In the early hours of 11 June, 1962, the West Berlin Water Police rescued the corpse of the 54-year-old nurse *Erna Kelm* from the Lower Havel near Nikolskoje. Under a swimming belt she had concealed important papers. She was drowned while attempting to swim across to West Berlin.

VI.

SOME EXAMPLES OF SUCCESSFUL ATTEMPTS AT FLIGHT

On 23 August, 1961, thirteen persons from the Soviet Sector succeeded in reaching West Berlin by crawling through the municipal sewers. They arrived unhurt.

During the night between 9 and 10 September, 1961, a married couple swam across the Havel, pulling an 18 months' old child in a bath-tub with a rope behind them. They reached West Berlin territory unharmed in the neighbourhood of the Glienicke Bridge in Berlin-Wannsee.

On 10 September, 1961, a lorry containing three men aged between 18 and 21 years left the Soviet Sector and broke through the Wall at the corner of Adalbertstrasse and Bethaniendamm in Berlin S.O.36. One man was slightly wounded in the right hand.

On 17 September, 1961, at 18.40 hours, three men broke through the barbed-wire barricades along the demarcation line in Berlin-Neukölln, Bouchéstrasse 68, with a 6.5 ton lorry belonging to the Soviet zonal Post.

After breaking through, the refugees were fired at with rifles by Soviet zonal border guards, but not injured.

On 27 September, 1961, at 22.15 hours, a 35-year-old mother with two small children fled in Berlin-Wittenau, Wiesenrain Settlement, near to the Industriebahn. She was fired at by Soviet zonal border guards while crawling through the barbed wire, but succeeded in reaching West Berlin territory with the children unhurt.

On 13 October, 1961, towards 05.00 hours, nine men from the Soviet Zone broke through two barbed-wire barricades at the demarcation line in Klein-Machnow with a lorry, but came to a standstill at the third barbed-wire barricade.

Under heavy fire from the Soviet zonal border guards they had to desert the lorry, but succeeded in reaching West Berlin unhurt.

On 15 October, 1961, towards 02.00 hours, a man and a woman with a small child escaped over the barbed-wire barricade at the goods station Treptow to Berlin-Neukölln. Although the Soviet zonal border guards fired 15 to 20 shots at the refugees, they reached West Berlin territory unhurt.

On 5 November, 1961, towards, 15.45 hours, five adults and four children succeeded in fleeing to West Berlin. They cut through the barbed wire in Berlin Reinickendorf at Schönholz goods station, and reached West Berlin territory unhurt, although Soviet zonal border guards fired at them. Frightened by the shots, another 20 persons relinquished their intention of flight.

On 5 November, 1961, towards 19.00 hours, a 19-year-old girl from the Soviet Zone managed to flee from the Soviet

Zone to West Berlin through check-point Babelsberg, hidden in the car of her West Berlin fiancé.

When members of the Soviet Customs and Goods Traffic Control Office began to examine the car minutely at the check-point, the driver broke through the frontier barrier, whereupon Customs officials immediately opened fire on the car. Although it was found later that the car had been hit 6 times, the occupants reached West Berlin unhurt.

On 7 November, 1961, the anniversary of the Russian October Revolution, at 15.10 hours, a 28-year-old engineer and his wife succeeded in crossing to West Berlin in their car at the check-point on the corner of Friedrichstrasse and Zimmerstrasse in Berlin S.W. 68. They tied a wreath to the roof of their car and, following a convoy of Soviet soldiers, managed to give the impression that they were driving to the Russian War Memorial in the British Sector.

On 9 November, 1961, a 33-year-old resident of the Soviet Sector succeeded in crossing to West Berlin at the check-point at the corner of Friedrichstrasse and Zimmerstrasse in Berlin S.W.68 unhindered. He had borrowed from a theatrical costumier's a uniform similar to that worn by U.S. soldiers in Berlin.

On 14 November, 1961, towards 21.00 hours, a private car containing two men and three women broke through the barricades in Berlin N.65, at the corner of Chaussee- and Liesenstrasse. The car had been lined with steel plating and concrete. Soviet zonal border guards fired about 100 shots. The car came to a stop with its occupants unhurt on West Berlin territory.

On 5 December, 1961, towards 21.00 hours, eight men, ten women and seven children from the Soviet Zone succeeded in escaping to West Berlin in a train belonging to the Soviet zonal "Deutsche Reichsbahn", consisting of an engine and 8 trucks. The flight was planned jointly by the engine driver, the fireman and the other participants. The train, which came from the direction of Oranienburg-Falkensee, drove without stopping through Albrechtshof station, which lies in the Soviet Zone, in the direction of West Berlin, instead of Potsdam, crossed the zonal border at the level crossing at Finkenkruger Weg, where the barriers were up, and did not stop until it reached Spandau.

On 24 January, 1962, towards 02.00 hours, 28 persons between the ages of 8 and 71 years managed to reach West Berlin territory in Berlin-Frohnau by crawling through a tunnel they had themselves dug.

During the night of 27-28 March, 1962, three young inhabitants of the Soviet Zone swam across the Teltow

Canal and managed to reach West Berlin territory in Berlin-Lichterfelde unhurt.

They had first to cut through the double barbed-wire barricade on the Soviet zonal shore. At this point the demarcation line runs along the middle of the Teltow Canal. After they had reached the western shore and were climbing up the bank, a round of shots was fired at them from a tommy-gun by a Soviet zonal border guard patrol.

On 5 May, 1962, at 21.30 hours, five women and seven men between the ages of 19 and 81 years succeeded in fleeing to West Berlin in Berlin-Fronau, unnoticed by Soviet zonal border guards. They had worked for many nights digging a 40 metre-long tunnel between the Soviet Zone and West Berlin.

On 8 June, 1962, at 05.05 hours, five women and eight men, with an infant, succeeded in escaping to West Berlin at the mouth of the Landwehr Canal on the excursion steamer "Friedrich Wolff". The flight was based upon a plan which had been exactly worked out by the refugees. The wheel-house of the boat had been armoured with iron plates. The captain and the engineer, who were on board in their cabins, had been made drunk

by the refugees, in order that they should not prevent the flight.

When the boat turned in the direction of West Berlin, Soviet zonal border guards and water police opened fire from a machine gun. Several shots landed in West Berlin territory, so that West Berlin police were obliged to return fire in self-defence. (See Pictorial Documents)

On 16 June, 1962, towards 23.45 hours, three inhabitants of the Soviet Sector attempted to reach West Berlin in a goods train travelling from Ostkreuz station in the direction of Wedding. Near Bornholm Bridge they jumped off the moving train and cut through two barbed-wire barricades.

While climbing through the third barricade the 23-year-old fireman *Paul H.* was fired upon by Soviet zonal transport police, but still managed to reach West Berlin unhurt. Nothing is known as to the fate of the other two refugees.

On 3 July, 1962, towards 21.30 hours, seven persons succeeded in fleeing from the Soviet Sector to West Berlin through a tunnel. The refugees had begun to dig the tunnel already in February, but it was not until July that conditions were favourable enough for them to carry out their plan.

PICTORIAL DOCUMENTS



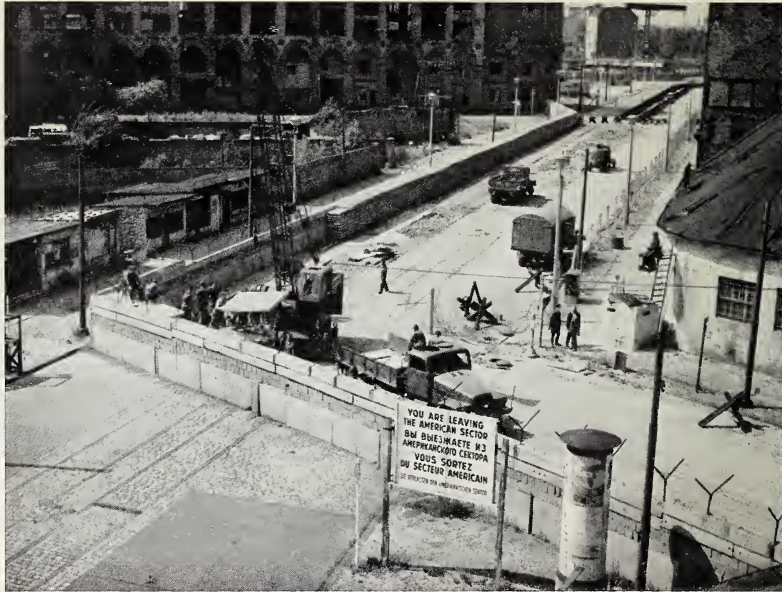
Above: View of the Brandenburg Gate. On 20 November, 1961 a barricading wall 2.60 metres high was also erected here. On the right of the picture the Tiergarten which is part of West Berlin.

Below: The Wall at the Potsdamer Platz. In the background concrete-based steel constructions as tank barrages.





Construction of the Wall at the Brandenburg Gate. In the background the German Reichstag.



Extension of the Wall in Stresemannstrasse.



Hoardings to prevent persons in opposite parts of the city from seeing and waving to one another.



Above: In order to free a field of fire for the Soviet zonal border guards, the workers' settlement in Klemkestrasse in the district of Reinickendorf has been razed to the ground.

Below: Wall, barbed wire and the death strip along the Blankenfelder Chaussee between Berlin-Lübars (West) and Berlin-Blankenfelde (Soviet sector). In the background a watch tower.





Wall and hoardings at the east end of Bernauer Strasse.



Right: Houses with bricked-up windows in Bernauer Strasse.

Below: East end of Bernauer Strasse. The houses with the bricked-up windows on the right side of the street belong to the Soviet sector; both pavements and the roadway belong to West Berlin.





Above: Gun-turret of the Soviet zonal border guards in Elsenstrasse in Neukölln.

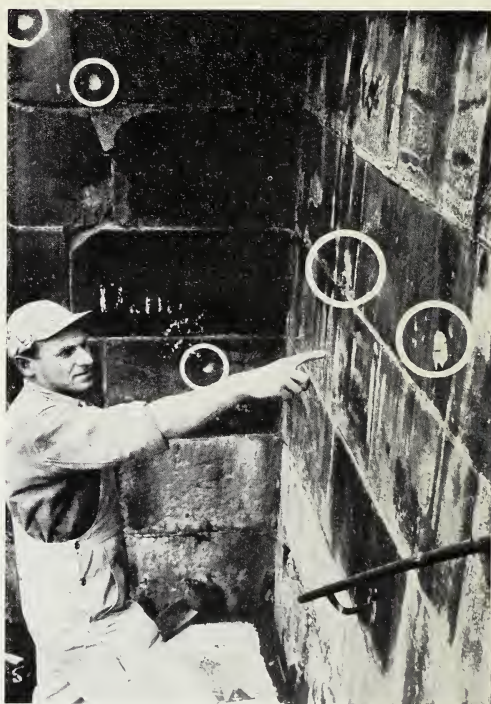
Left: Watch tower of the Soviet zonal border guards beside the Teltow Canal in south-east Berlin.

Below: Soviet zonal border guards building a gun-turret at the corner of Kommandantenstrasse and Lindenstrasse.





On 24 August, 1961, the 25-year-old Günter Litfin was shot in the Humboldt dock by border guards of the Soviet Sector while trying to escape. Soviet zonal water police are seen recovering the body.

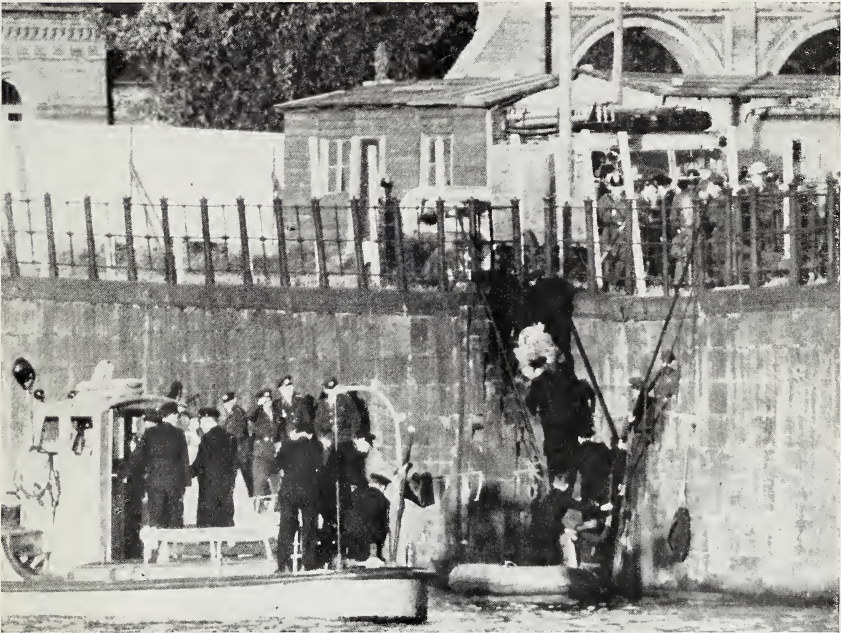


On 23 May, 1962 a 15-year-old refugee was badly hit by seven shots from the Soviet zonal border guards while attempting to cross the Spandau Shipping Canal, after he had already reached the West Berlin bank. On the right of the picture the East Berlin bank.

Centre right: Bullet-marks in the wall of the canal on the western bank.



On 5 June, 1962 Soviet zonal border guards shot a refugee who was attempting to swim across the Spree in the neighbourhood of the Reichstag. The body was recovered by the Soviet zonal water police.



On 8 June, 1962 a group of 14 persons succeeded in escaping in the excursion steamer "Friedrich Wolff". The picture shows the boat shortly before reaching the West Berlin bank.




On 17 August, 1962 the 18-year-old Peter Fechter from East Berlin was shot down by Soviet zonal border guards while trying to escape over the Wall in Zimmerstrasse. The wounded boy was left lying on the Soviet sector side of the Wall for over an hour without any help being brought to him. He was then carried away by border guards without a stretcher. It is presumed that he was already dead.



Border lines, crossing points and focal points of sealing-off measures

CROSSING POINTS:

- CHECK POINTS:

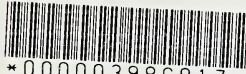
-  Bernauer Strasse

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Date Due

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